

SECURITIES INVESTOR PROTECTION
CORPORATION

1667 K Street, N.W., Suite 1000

Washington, D.C. 20006

Telephone: (202) 371-8300

JOSEPHINE WANG

General Counsel

Email: jwang@sipc.org

KEVIN H. BELL

Senior Associate General Counsel for Dispute Resolution

Email: kbell@sipc.org

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

FRANK J. AVELLINO, et al.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05421 (SMB)

**DECLARATION OF KEVIN H. BELL IN SUPPORT OF THE
REPLY MEMORANDUM OF LAW OF THE
SECURITIES INVESTOR PROTECTION CORPORATION
IN SUPPORT OF THE TRUSTEE'S MOTION TO REARGUE THE
COURT'S ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO DISMISS
(28.U.S.C. §1746)**

Kevin H. Bell hereby declares:

1. I am Senior Associate General Counsel for Dispute Resolution at the Securities Investor Protection Corporation (“SIPC”), located at 1667 K Street, N.W., Suite 1000, Washington, DC 20006.

2. As an attorney of record, I am fully familiar with this case and the facts set forth herein. I submit this Declaration to place before this Court true and correct copies of documents in support of the Reply Memorandum of SIPC, filed in support of the Motion by Irving Picard, as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, to Reargue the Court’s Order Granting In Part and Denying In Part Motion to Dismiss.

3. Attached hereto as Exhibit A is a true and correct copy of a Certification of FINRA Business Records, with attachment.

4. Attached hereto as Exhibit B is a true and correct copy of the Declaration of Linda M. Siemers, with attachment.

Each of the attached exhibits evidences that the date of registration of Bernard L. Madoff Investment Securities LLC as a securities broker-dealer was January 19, 1960. The Declaration of Linda M. Siemers further evidences that the effective date of SIPC membership of Bernard L. Madoff Investment Securities LLC was December 30, 1970.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 3, 2016, in Washington, D. C.

/s/ Kevin H. Bell
Kevin H. Bell